



U.S. Department  
of Transportation  
**Research and  
Special Programs  
Administration**

**MAY 8 2000**

400 Seventh Street, S.W.  
Washington, D.C. 20590

DOT-E 12106

**EXPIRATION DATE: March 31, 2002**

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Air Liquide America Corporation  
Houston, Texas
2. PURPOSE AND LIMITATION:  
  
This exemption authorizes the transportation in commerce of carbon dioxide, refrigerated liquid in DOT 105J400W tank cars at a loading pressure equal to or less than 235 psi. This exemption provides no relief from the Hazardous Materials Regulations (HMR) other than as specifically stated herein.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR §§ 173.24(g) and 173.314(o) in that the use of a DOT 105J400W tank car is authorized under the terms of this exemption.
5. BASIS: This exemption is based on the application of Air Liquide America Corporation's application of June 30, 1998 and supplemental information dated November 19, 1999, submitted in accordance with § 107.105 and the public proceeding thereon.
6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Proper Shipping Name/ Hazardous Materials Description	Hazard Class/ Division	Identi- fication Number	Packing Group
Carbon dioxide, refrigerated liquid	2.2	UN2187	N/A

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Packagings prescribed are DOT 105J400W tank cars conforming to the following:

Tank Test Pressure	400 psi
Pressure Relief Device Set Pressure	300 psi
Regulating Valve Set Pressures (2)	275 psi
Bursting Disc Set Pressure	Less than 400 psi
Min. Tank Head Thickness	0.787 inch
Min. Tank Jacket Thickness	0.120 inch

b. OPERATIONAL CONTROLS - The loading pressure may not exceed 235 psig.

8. SPECIAL PROVISIONS:

a. A person who is not a holder of this exemption who receives a package covered by this exemption may reoffer it for transportation provided no modifications or changes are made to the package and it is reoffered for transportation in conformance with this exemption and the HMR.

b. A current copy of this exemption must be maintained at each facility where the package is offered or reoffered for transportation.

c. Each tank car shall have the exemption number "DOT-E 12106" marked on each side, above the DOT specification number in 4-inch letters on a contrasting background.

9. MODES OF TRANSPORTATION AUTHORIZED: Rail freight.10. MODAL REQUIREMENTS: None as a requirement of this exemption.11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this exemption and penalties prescribed by the Federal hazardous materials transportation law, 49 U.S.C. 5101 et seq:


- o All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
- o Registration required by § 107.601 et seq., when applicable.

Each "Hazmat employee", as defined in § 171.8, who performs a function subject to this exemption must receive training on the requirements and conditions of this exemption in addition to the training required by §§ 172.700 through 172.704.

No person may use or apply this exemption, including display of its number, when this exemption has expired or is otherwise no longer in effect.

12. REPORTING REQUIREMENTS: The carrier is required to report any incident involving loss of packaging contents or packaging failure to the Associate Administrator for Hazardous Materials Safety (AAHMS) as soon as practicable. (Sections 171.15 and 171.16 apply to any activity undertaken under the authority of this exemption.) In addition, the holder(s) of this exemption must inform the AAHMS, in writing, of any incident involving the package and shipments made under the terms of this exemption.

Issued in Washington, D.C.:

  
Robert A. McGuire  
Acting Associate Administrator for  
Hazardous Materials Safety

**MAY 8 2000**  
(DATE)

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Research and Special Programs Administration, Department of Transportation, Washington, D.C. 20590.  
Attention: DHM-31.

The original of this exemption is on file at the above office. Photo reproductions and legible reductions of this exemption are permitted. Any alteration of this exemption is prohibited.

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Copies of exemptions may be obtained from the AAHMS, U.S.  
Department of Transportation, 400 7th Street, S.W., Washington,  
DC 20590-0001, Attention: Records Center, 202-366-5046.

PO: Schoonover/Rader/KFW